

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

DAVID L. BELMONTE,  
a/k/a Dameas Shiruk Duranzan,

Plaintiff,

v.

KING COUNTY, *et al.*,

Defendants.

Case No. C24-1764-RAJ-MLP

REPORT AND RECOMMENDATION

On October 23, 2024, Plaintiff submitted to this Court for filing a civil rights complaint under 42 U.S.C. § 1983 in which he alleged a wrongful death claim arising out of the death of his intimate partner and unborn child during the course of his “excessive and unlawful imprisonment.” (*See* dkt. # 1 at 2-3.) Plaintiff, however, failed to submit with his complaint either the requisite filing fee or an application to proceed with this action *in forma pauperis* (“IFP”). On October 30, 2024, the Clerk sent Plaintiff a letter advising him that his submission was deficient because he failed to meet the filing fee requirement and explaining that he would have to either pay the filing fee or submit an IFP application by November 29, 2024, or risk dismissal of this action. (Dkt. # 2.)

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1 To date, Plaintiff has neither paid the filing fee, nor has he submitted an application to  
2 proceed IFP. As Plaintiff has had ample time to correct the deficiency identified by the Clerk, but  
3 has failed to do so, this Court recommends that the instant action be dismissed without prejudice  
4 for failure to satisfy the filing fee requirement. A proposed Order accompanies this Report and  
5 Recommendation.

6 Objections to this Report and Recommendation, if any, should be filed with the Clerk and  
7 served upon all parties to this suit within **fourteen (14) days** of the date on which this Report and  
8 Recommendation is signed. Failure to file objections within the specified time may affect your  
9 right to appeal. Objections should be noted for consideration on the District Judge's motions  
10 calendar **fourteen (14) days** after they are filed. Responses to objections may be filed by **the day**  
11 **before the noting date**. If no timely objections are filed, the matter will be ready for  
12 consideration by the District Judge on **January 27, 2025**.

13 DATED this 6th day of January, 2025.

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16 MICHELLE L. PETERSON  
United States Magistrate Judge